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PTO/SB/64 (3-98)  
Approved for use through 09/30/2000. OMB 0651-0031  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)  
CE01945R

First named inventor: PEYER, DAVID W.

Application No.: 08/891,956

Group Art Unit: 2742

Filed: JULY 14, 1997

Examiner: CHIANG, J.

Title: CLOSEABLE COMMUNICATION DEVICE AND METHOD OF OPERATING  
THE SAME

Attention: Office of Petitions  
Assistant Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703)305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to the Office  
action mailed on NOVEMBER 30, 1998, which set a 3 month/day period for reply.  
The abandonment date of this application is 3/2/1999 (i.e., the day after the  
expiration date of the period set for reply plus any extensions of time obtained therefor).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed  
before June 8, 1995, and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))
- ☐ Small entity statement enclosed herewith.
- ☐ Small entity statement previously filed.
- ☒ Other than small entity - fee \$ 1,210.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in  
the form of \_\_\_\_\_ (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_.
- ☐ is enclosed herewith.

B. The issue fee of \$ 1,210.00

- ☐ has been paid previously on \_\_\_\_\_.
- ☒ is enclosed herewith.

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Burden Hour Statement: This form is estimated to take 1.0 hours to complete. Time will vary depending upon the needs of the individual case. As comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$\_\_\_\_\_ for a small entity or \$\_\_\_\_\_ for other than a small entity) disclaiming a period equivalent to the number of months from the date of abandonment to the filing of this petition is enclosed herewith.

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. Check box A, or check box B and/or C as applicable and include an explanation of the delay on a separate sheet or on supplemental sheet PTO/SB/64A.

- ☒ A This petition is filed within three months of the date the applicant was first notified, or otherwise became aware, that the application was abandoned and within one year of the date of abandonment of the application.
- ☐ B This petition is **not** filed within three months of the date the applicant was first notified, or otherwise became aware, that the application was abandoned. A detailed explanation of the cause of the delay in filing the petition is attached on a separate sheet or on supplemental sheet PTO/SB/64A.
- ☐ C This petition is **not** filed within one year of the date of abandonment of the application. The applicant first became aware of the abandonment on \_\_\_\_\_. A detailed explanation of the delay in discovering the abandoned status of the application is attached on a separate sheet or on supplemental sheet PTO/SB/64A.

3/8/99  
Date  
Telephone Number: (847) 523-2322

Mark D. Patrick  
Signature  
Mark D. Patrick  
Typed or printed name  
600 North U.S. Hwy. 45, #AN475  
Address  
Libertyville, Illinois 60048-5343

- Enclosures: ☒ Fee Payment  
☐ Reply  
☐ Terminal Disclaimer Form  
☐ Small Entity Status Form  
☐ Additional sheets containing statements establishing unintentional delay  
☒ Issue Fee Transmittal and Postcard

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.  
☐ transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703) 308-6916.

3/8/99  
Date

Tamra J. Smith  
Signature  
Tamra J. Smith  
Typed or printed name of person signing certificate